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Attorney for Defendant  
ELVIN J. MIRZAYEV

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
ELVIN J. MIRZAYEV,  
Defendant.

Case No. 5:21-po-00662-SAB-1

**STIPULATION TO VACATE BENCH TRIAL  
AND SET FOR CHANGE-OF-PLEA AND  
SENTENCING; ORDER**

Date: May 3, 2022  
Time: 10:00 a.m.  
Judge: Hon. Stanley A. Boone

**IT IS HEREBY STIPULATED** by and between the parties through their respective counsel, Assistant United States Attorney Jeffrey Spivak, counsel for the plaintiff, and Assistant Federal Defender Erin Snider, counsel for defendant Elvin J. Mirzayev, that the Court may vacate the bench trial currently scheduled for May 3, 2022, at 10:00 a.m. and instead set the matter for a change-of-plea and sentencing hearing on May 3, 2022, at 10:00 a.m. The parties have reached a plea agreement, pursuant to which the parties will jointly recommend a \$230 fine and 12 months of unsupervised probation. As part of the plea agreement, Mr. Mirzayev will waive his right to appeal.

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1 Respectfully submitted,

2 PHILLIP A. TALBERT  
United States Attorney

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4 Date: April 28, 2022

5 /s/ Jeffrey Spivak  
JEFFREY SPIVAK  
Assistant United States Attorney  
6 Attorney for Plaintiff

7 HEATHER E. WILLIAMS  
Federal Defender

8

9 Date: April 28, 2022

10 /s/ Erin Snider  
ERIN SNIDER  
11 Assistant Federal Defender  
Attorney for Defendant  
ELVIN MIRZAYEV

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13 **ORDER**

14 **IT IS SO ORDERED.** The Court vacates the bench trial scheduled for May 3, 2022, at  
15 10:00 a.m. The Court schedules a change-of-plea and sentencing hearing for May 3, 2022, at  
16 10:00 a.m. The defendant is ordered to appear.

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18 IT IS SO ORDERED.

19 Dated: April 28, 2022

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22 UNITED STATES MAGISTRATE JUDGE